



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Dante DeStefano,  
Battalion Fire Chief (PM1102V),  
Paterson

Examination Appeal

CSC Docket No. 2019-395

**ISSUED:**    October 3, 2018    (RE)

Dante DeStefano appeals his score on the promotional examination for Battalion Fire Chief (PM1102V), Paterson. It is noted that the appellant passed the examination with a final average of 83.520 and ranked 12<sup>th</sup> on the eligible list.

This two-part examination consisted of an integrated system of simulations designed to generate behavior similar to that required for success on the job. The first part consisted of multiple-choice items that measured specific work components identified and weighted by the job analysis. The second part consisted of three oral scenarios; a Supervision, Administration and Incident Command scenario. The examination was based on a comprehensive job analysis conducted by the Civil Service Commission, which identified the critical areas of the job. The weighting of the test components was derived from the job analysis data.

For the oral portion, candidates had 60 minutes to prepare for all three scenarios and had 10 minutes per scenario to present their response. For all three oral exercises, the candidate was to assume the role of a Battalion Fire Chief. Candidates were scored based on the content of their response (technical) and the how well they presented their response (oral communication). These components were scored on a scale of 1 to 5 with 1 being the lowest rating and 5 being the highest rating.

Each candidate in a given jurisdiction was scored by a team of three different Subject Matter Experts (SMEs), who were trained in current technical and oral communication scoring procedures. Each SME is a current or retired fire officer who held the title of Battalion Fire Chief (or Fire Officer 2) or higher. As part of the

scoring process, an SME observed and noted the responses of a candidate relative to the knowledge, skills and abilities (KSAs) that each exercise was designed to measure. An SME also noted any weaknesses that detracted from the candidates overall oral communication ability. The SME then rated the candidate's performance according to the rating standards and assigned the candidate a technical or oral communication score on that exercise.

In order to preserve the relative weighting of each of the components of the examination, the ratings for each portion were adjusted by a well-recognized statistical process known as "standardization." Under this process, the ratings are standardized by converting the raw scores to z-scores, an expression of the deviation of the score from the mean score of the group in relation to the standard deviation of scores for the group. Each portion of the examination had a relative weight in its relation to the whole examination. Thus, the z-score for the multiple-choice portion was multiplied by a test weight of 36.53%, the oral technical scores were multiplied by a test weight of 53.91% and the oral communication scores were multiplied by a test weight of 9.56%. The weighted z-scores were summed and this became the overall final test score. This was weighted and added to the weighted seniority score. The result was standardized, then normalized, and rounded up to the third decimal place to arrive at a final average.

For the technical and oral communication components of the Supervision, Administration and Incident Command scenarios, the appellant received scores of 5, 3, 3 and 3, 3, 3, respectively.

The appellant challenges his scores for the oral communication components of all three scenarios, and for the technical component of the Administration scenario. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed.

## CONCLUSION

A score of 3 for oral communication indicates at least one major weakness in the presentation, or two or minor weaknesses. On appeal, the appellant states that assessor notes states in all three scenarios that he did not maintain eye contact and repeated himself and stumbled. He argues that he was not allowed to pull the booklet apart, as he had been for examinations he had previously taken. He maintains that not being allowed to have all notes and pictures in front of him lowered his scores.

In reply, for the oral communication component for the Supervision scenario, the assessor indicated that the appellant showed a major weakness in word usage/grammar, and minor weakness in nonverbal communication. Specifically, he repeated words and phrases and failed to make eye contact consistently during the presentation. For the Administration scenario, the assessor indicated that the

appellant showed a major weakness in inflection/rate volume, as he stumbled and repeated words consistently when beginning sentences. For the oral communication component for the Incident Command scenario, the assessor indicated that the appellant showed a major weakness in word usage/grammar, as he repeated words and phrases. There are three different aspects of oral communication that were noted by the assessor.

The appellant displayed a minor weakness in nonverbal communication, specifically a lack of eye contact, in only one scenario, the Supervision scenario. Nonverbal communication includes using gestures effectively without causing confusion or distractions, and making eye contact when speaking. The Supervision scenario did not have maps or diagrams, and neither did the Administration scenario. As such, there was no reason to pull the booklets apart for these scenes. The appellant did not demonstrate a weakness in nonverbal communication for the one scenario with diagrams, and as such, his arguments regarding oral communication are unpersuasive. Additionally, the appellant has taken only one other examination for the subject title, in 2012. In that oral examination, he was not allowed to pull apart the booklets. For the subject examination, the appellant was treated the same as all other candidates as no candidate was permitted to pull apart the booklets.

A review of the appellant's video for the Supervision scenario reveals that he held his booklet out in front of him and appeared to be reading it, and did not make eye contact consistently. The appellant looked from the questions to the notes when answering the first question, but while answering question 2, he read question 2, and then read from his notes, which were held out in front of him. He looked up at the camera, but his eye contact was not consistent. The appellant was at liberty to use the booklet as he wanted, and he chose to consistently flip back to the material in the scenario while answering question 1. Other candidates were able to respond to the questions without having to continually refer to the stimulus material. The appellant appeared to not be able to remember the scenario, as he would address one issue, then flip back to the scenario, read some more, and flip back to his notes to address another issue. Later in his response, he flipped the page while in mid-sentence and did not change his response or line of reasoning after glancing again at the questions. A better-performing candidate would make a presentation while remembering the information given, or by having included it in the notes, and would not have to constantly refer back to the stimulus material and questions. The appellant's presentation had a weakness in nonverbal communication, as well as word usage/grammar. His score for this component is correct.

The Administration scenario indicated that a fire education program given at an elementary school was inappropriate. The Fire Chief has asked the newly appointed Battalion Fire Chief to investigate the current fire educational program and update it if necessary. Question 1 asked for specific steps to be taken to investigate whether the program is effective and meeting the needs of the intended audience. Question 2

indicated that the candidate found that the program was not meeting its goal, and the Fire Chief asks for it to be updated to reflect current practices and so that it is tailored to specific audiences. It asked who should provide input to ensure that the fire educational program is up to date and serves the intended audience.

For this question, the SME noted that the appellant missed the opportunities to interview Fire Department personnel who teach the program (question 1), and to determine if the program materials are different based on the intended audience (question 1). On appeal, the appellant states that he said he will “review the previous person in charge of the program going back as far as five years.”

In reply, the instructions in the scenario tell candidates to be as specific as possible and not to assume or take for granted that general actions will contribute to a score. This was a formal examination setting, and candidates were required to specifically state the actions that they would take in response to the questions. In response to question 1, the appellant stated, “First I will conduct a thorough investigation by setting up meetings, by setting up meetings with, with the ah, the educational, the educational principal of the local elementary schools. I will, I will find out what they were doing in the prior, prior ah fire prevention programs.” In this response the appellant was speaking with school personnel, and he received credit for that response. He then reviewed rules and regulations, standards, and referenced guidelines and procedures of other agencies, and reviewed the programs of other Fire Departments. He visited other schools and reviewed the prior program to see how he could improve it. In response to question 2, the appellant checked training records and personnel files for information. None of these actions included interviewing the personnel who teach the program. If the appellant was aware that he would conduct these interviews, he was to indicate that verbally in his response, but he cannot receive credit on the assumption that he would have done so by taking other actions, or for his response to question 2. The appellant missed the actions noted by the SME and his score for this component will not be changed.

A thorough review of appellant’s submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

### **ORDER**

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 3rd DAY OF OCTOBER, 2018

A handwritten signature in dark ink, reading "Deirdre L. Webster Cobb". The signature is written in a cursive, flowing style.

Deirdré L. Webster Cobb  
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